

A
IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 8th day of June 1998

B e f o r e

THE HON'BLE MR.JUSTICE CHANDRASHEKARAIHAH

W.P.No:38166 of 1995

BETWEEN:

Sri. V.Narayana Rao,
s/o. Vittal Rao, Barjipet,
Doddaballapur, Bangalore Dist.

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... Petitioner;

(By Sri . R.D.Kolekar)

AND:

1. The Chief Officer, Town
Municipal Council, Yelahanka,
Bangalore-64.

2. V.R.Keshvamurthy alias Beeda
Angadi, Babanna, Soumya Provision
Store, Municipal Office road,
Yelahanka, Bangalore-64.

... Respondents;

(Sri.S.Chennaraya Reddy for R-2;

Sri. S.G.Bhat for R-1)

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Writ Petition is filed under Arts.226 and 227
of the Constitution praying to direct the respondents
to remove the obstruction caused in the schedule road .

This petition coming on for final disposal this
day, the Court made the following:-

O R D E R

The petitioner has sought for a mandamus directing
1st
the respondents to remove the obstruction created in

W

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schedule road.

2) The case of the petitioner is that the 2nd respondent has put up a staircase on the road which he is not entitled to do so. The learned counsel for the 1st respondent submitted that the Municipal Council has already taken action by issuing notice to the 2nd respondent to remove the construction so put up on the road. Pursuant to the said notice, the 2nd respondent has filed objections. But thereafter, ~~no~~ proceedings have not been continued in view of the pendency of this writ petition.

3) Since the 1st respondent Municipal Council has already taken action as against the 2nd respondent by issuing notice, no direction as sought for in this petition, need be issued.

4) Accordingly, writ petition is disposed of. However, the 1st respondent Municipal Council is directed to proceed with the enquiry after affording an opportunity to the 2nd respondent.

Sd/-
JUDGE

